

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent application of: DOWNIE, et al.

For: STRESS-RESPONSIVE GENES, REGULATORY ELEMENTS, AND METHODS  
OF USE FOR SAME

**STATEMENT TO SUPPORT FILINGS AND SUBMISSIONS  
IN ACCORDANCE WITH 37 CFR §§1.821 - 1.825**

**COMMISSIONER FOR PATENTS**

***Mail Stop Patent Application***

P. O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

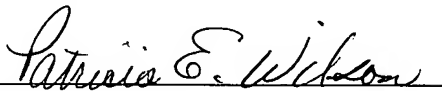
I, Heidi S. Nebel, hereby declare and state the following:

1. I am the attorney of record in the above-identified case.
2. The content of the paper copy of the Sequence Listing and the computer readable copy of the Sequence Listing submitted herewith are the same and, where applicable, include no new matter, as required by 37 CFR 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

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CERTIFICATE OF MAILING BY EXPRESS MAIL

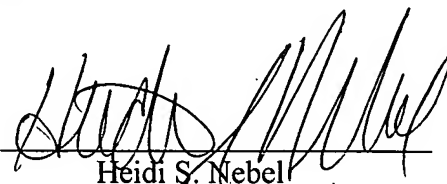
I hereby certify that this document and the documents referred to as enclosed therein are being deposited with the U.S. Postal Service in an envelope as "Express Mail Post Office to Addressee" addressed to: Mail Stop NEW APP - FEE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, prior to 5:00 p.m. on the 29th day of March, 2004.

  
Patricia E. Wilson  
Express Mail Label # EL 974183889 US

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application of any patent issued thereon.

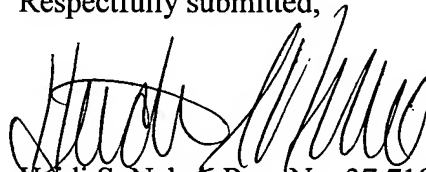
Dated

3/29/04



Heidi S. Nebel

Respectfully submitted,



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